

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA**

SHAYLON STOLK,

Plaintiffs,

v.

BANK OF AMERICA, N.A., EQUIFAX
INFORMATION SERVICES, LLC,
EXPERIAN INFORMATION
SOLUTIONS, INC., and TRANS UNION
LLC,

Defendants.

NO. 3:25-cv-05128-JHC

STIPULATED MOTION FOR
RELIEF FROM DEADLINE

1 **I. STIPULATED MOTION FOR FURTHER RELIEF FROM DEADLINE**

2 Plaintiff SHAYLON STOLK (“Plaintiff”) and Defendant, BANK OF AMERICA, N.A.
3 (“BANA”) respectfully request the following modification of the briefing deadlines as to
4 BANA’s Motion to Dismiss (Dkt. 28; Dkt. 29):

- 5 • Plaintiff shall file any response to BANA’s Motion to Dismiss (Dkt. 28; Dkt. 29) on or
6 before June 27, 2025;
7 • Any reply by BANA shall be filed on or before July 7, 2025.

8 **II. AUTHORITY AND ARGUMENT**

9 Fed. R. Civ. P. 6(b) sets forth the requirements for obtaining an extension of time in a
10 civil matter. *See, e.g., Pioneer Inv. Servs. Co. v. Brunswick Assocs. Ltd P’ship*, 507 U.S. 380,
11 389 n.4 (1993). Rule 6(b) gives the district court the discretion to extend any specified deadline
12 for “good cause” shown. Fed. R. Civ. P. 6(b)(1). The decision whether to provide such an
13 extension of time rests within the discretion of the district court. Fed. R. Civ. P. 6(b)(1). Rule
14 6(b)(1)(A) “gives the court wide discretion to grant a request for additional time that is made
15 prior to the expiration of the period originally prescribed or prior to the expiration of the period
16 as extended by a previous order.” Wright & Miller, § 1165 Extending Time—In General, 4B
17 Fed. Prac. & Proc. Civ. (4th ed.). Absent bad faith by the movant or prejudice to the adverse
18 party, “an application for extension of time under Rule 6(b)(1)(A) normally will be granted.”
19 *Id.*; *see also Rachel v. Troutt*, 820 F.3d 390, 394 (10th Cir. 2016) (“A leading treatise similarly
20 suggests that district courts should normally grant extension requests, made before the deadline,
21 in the absence of bad faith by the requesting party or prejudice to another party.”) (quoting
22 Wright & Miller); *Ahanchian v. Xenon Pictures, Inc.*, 624 F.3d 1253, 1258–59 (9th Cir. 2010).

23 Here, good cause exists to further extend the deadlines associated with BANA’s Motion
24 to Dismiss (Dkt. 28; Dkt. 29) because Plaintiff recently filed her Motion for Leave to Amend
25 Complaint (Dkt. 39), and BANA’s counsel has now confirmed that BANA does not oppose that
26

1 Motion. Plaintiff awaits a response from the remaining Defendants as to their position on the
 2 Motion for Leave to Amend Complaint (Dkt. 39).

3 There is no prejudice to Defendants for the requested extension, as evidenced by the
 4 consent of the moving party, BANA, to further enlarge Plaintiff's response deadline as to its
 5 Motion to Dismiss. Further, BANA has now confirmed that it does not oppose the Motion for
 6 Leave to Amend (Dkt. 39). Plaintiff's further enlargement of the briefing deadline on the Motion
 7 to Dismiss will extend the deadline for Plaintiff's response brief beyond the Motion Calendar
 8 date for the Motion for Leave to Amend (Dkt. 39). Given BANA's non-opposition to the Motion
 9 for Leave to Amend (Dkt. 39), the expected filing of an Amended Complaint will moot BANA's
 10 Motion to Dismiss (Dkt. 28; Dkt. 29).

11 The requested extension will not impact any other deadlines in the case or cause undue
 12 delay.

13 The undersigned counsel certify that the foregoing contains 496 words in compliance
 14 with the Local Civil Rules.

15 IT IS SO STIPULATED this 5th day of June, 2025 at Depoe Bay, Oregon by

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IT IS SO ORDERED.

Dated this 5th day of June, 2025.



JOHN H. CHUN

United States District Judge